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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,954	03/30/2004	Ken'ichi Sugawara	SN-US030148	3109

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EXAMINER

MARCELO, EMMANUEL MONSAYAC

ART UNIT PAPER NUMBER

3654

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/811,954

Applicant(s)

SUGAWARA, KEN'ICHI

Examiner

Emmanuel M Marcelo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-17 is/are allowed.
- 6) ☒ Claim(s) 1-6, 12, 13, 18-22, 24 and 28 is/are rejected.
- 7) ☒ Claim(s) 7-11, 23 and 25-27 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3-30-04, 10-21-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-5, 12, 13, 18, 20, 21 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent no. 5,261,627 to Shinohara.

With respect to claims 1, 3, 4, 12, 13, 18, 20, 21 and 28, Shinohara, as best seen in Figures 7 and 10, discloses a fishing line guide mechanism for guiding fishing line onto a spool of a spinning reel, the fishing line guide mechanisms being adapted to be mounted to front ends of a first rotor arm (not shown) and a second rotor arm (not shown) so as to be pivotable between a line-guiding posture and a line-releasing posture and comprising: a first bail support member 3 and a second bail support member (not shown) that are adapted to be respectively pivotably mounted to the front ends of the first rotor arm and the second rotor arm; a fixed shaft 14 one end of which is coupled to the first bail support member 3; a fixed shaft cover (6, 12) that is fixedly attached to another end of the fixed shaft so as to be spaced apart from the first bail support member; a line roller 8 that is rotatively supported by the fixed shaft 14, the line roller having on its outer peripheral surface a guiding portion for guiding fishing line; and a bail 5 that

is curved outward in the circumferential direction of the spool to guide the fishing line onto the line roller 8 via the fixed cover (6, 12), one end of the bail being fixedly attached to the second bail support member, the fixed shaft cover and the bail being integrally formed from a metal such that the exteriors thereof are smoothly and continuously connected.

With respect to claims 5 and 22, the first bail support member includes a first engaged portion (portion of 3 engaging tip end of 14) and the fixed shaft includes a shaft portion and a first engaging portion (tip end of 14 engaging 3) that is formed at an end of the shaft portion and non-rotatably engages with the first engaged portion, the line roller 8 being supported on an outer periphery of the shaft portion 14.

Claims 1, 5, 6, 18, 22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Amano et al '757.

With respect to claims 1 and 18, Amano et al, for example in Figures 2 and 5, disclose a first bail support member 3, a fixed shaft (shaft of element 7); a fixed shaft cover 12; a line roller 8 and a bail 5 as set forth in claim 1.

With respect to claims 5 and 22, the first bail support member includes a first engaged portion (portion engaging end of element 7), and the fixed shaft includes a shaft portion and a first engaging portion (male screw portion) that is formed at an end of the shaft portion and non-rotatably engages with the first engaged portion, the line roller 8 being supported on an outer periphery of the shaft portion.

With respect to claims 6 and 24, the fixed shaft further includes a head portion (screw head) that has a larger diameter than a diameter of the shaft portion; and the fixed shaft cover includes a recessed portion 15 and a through hole (hole through which shaft of 7 is inserted), the

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through hole being formed within the recessed portion and having a diameter smaller than that of the head portion, the shaft portion passing through the through hole, the head portion being accommodated in the recessed portion.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shinohara in view of Murakami '144.

Shinohara does not disclose the use of stainless steel for the bail and the fixed shaft cover. Stainless steel is commonly used in various parts of the fishing reel such as gears and bails. Murakami '144 teaches the use of stainless steel for the bail. It would have been obvious to one of ordinary skill in the art to provide Shinohara with a bail and fixed shaft cover so that those parts will not rust.

Allowable Subject Matter

Claims 7-11, 14-17, 23 and 25-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 7 and 23 are allowable over the prior art of record because the prior art of record does not teach or fairly suggest the entire combination of elements set forth including the second engaged portion being non-rotatably engaged with the second engaging portion.

Claim 11 is allowable over the prior art of record because the prior art of record does not teach or fairly suggest the entire combination of elements set forth including the shaft cover portion having a bore portion into which an end of the fixed shaft is press fitted.

Claims 14-17 are allowable over the prior art of record because the prior art of record does not teach or fairly suggest the entire combination of method steps set forth in claim 14.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel M Marcelo whose telephone number is 571-272-6949. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Emmanuel M Marcelo
Primary Examiner
Art Unit 3654

emm
March 2, 2006